

Atty. Dkt. No. 035451-0131 (3640.Palm)

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 1-26 are now pending in this application.

Claim Rejections – 35 U.S.C. § 102

In section 3 of the Office Action, the Examiner rejected claims 1-4, 6-7, and 9-26 under 35 U.S.C. § 102(e) as being anticipated by Hamaguchi et al. (U.S. Published Patent Application No. 2002/0010617).

Applicants cite, in independent claim 1 “a system for locating access to wireless resources”, the system includes a database program which collects information relating to wireless stations and the available resources which are available through those wireless stations. In particular “the available resource information being correlated with the wireless station information and the available resource information being representative of the resources available through the wireless stations.” For example, such resources are discussed in Applicant’s specification on page 8, paragraph [0020], among others.

Similarly, with regard to independent claim 14, which claims “a method of locating access to resources in an environment,” the method comprises “storing available resource information relating to the resources available through the wireless station in the database,” among other limitations. Also similarly, independent claim 20 relates to “a method of locating access to resources in an environment.” The method comprises, among other limitations “receiving information relating to wirelessly accessible resources.”

Atty. Dkt. No. 035451-0131 (3640.Palm)

Applicants respectively submit that Hamaguchi et al. does not disclose, teach or suggest a system and or a method in which available resources are provided to the portable electronic device, the available resources being made available through the wireless station. The only information which comes from the customer terminal 11 in Hamaguchi et al. is information about the retail establishment (see, e.g. paragraph [0026] of Hamaguchi et al.), there is no information about any resources which may be available and used through the wireless station.

Applicant conceived that a user of a portable electronic device would be able to wander through an environment having fixed wireless stations. The wireless stations would provide information including information about the wireless stations and about resources available through the wireless stations to the portable electronic device. The portable electronic device would record the information about the wireless station as well as the resource information, and this information could then be accessed by the portable electronic device at any time either through query or automatically. If a user was desiring to locate access to a specific resource, the database on the portable device could be queried and the portable device may provide directions to an area at which the wireless station, having access to the desired resource, could be accessed by the portable device. Accordingly, Applicant respectfully submits that Hamaguchi et al. does not disclose, teach, or suggest all of the limitations of any of the independent claims 1, 14, and 20.

"Rejection for anticipation or lack of novelty requires, as the first step in the inquiry, that all the elements of the claimed invention be described in a single reference (citations omitted). Further, the reference must describe the applicant's claimed invention sufficiently to have placed a person of ordinary skill in the field of the invention in possession of it." In re Spada, 15 U.S.P.Q.2d 1655, 1657 (Fed. Cir. 1990). Hamaguchi et al. fails to disclose teach or suggest the storing of available resource information that relates to resources available through a wireless station. Applicants, therefore respectfully submit that independent claims 1, 14, and 20 and their respective dependent claims are therefore allowable.

Atty. Dkt. No. 035451-0131 (3640.Palm)

Claim Rejections – 35 U.S.C. § 103

In section 5 of the Office Action, the Examiner rejected claims 5 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Hamaguchi et al. (U.S. Published Patent Application No. 2002/0010617).

Applicant respectfully submits that claims 5 and 8 depend from claim 1 which is believed to be allowable, accordingly, applicants believe claims 5 and 8 are allowable for at least the same reasons. Further, Applicants do not acquiesce in the Examiner's Official Notice of time stamps. Applicant submit that the use of a time stamp in the combination provided in claim 8 is not obvious to those of ordinary skill in the art.

* * * * *

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

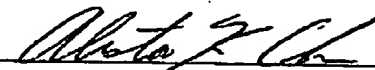
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 06-1447.

Atty. Dkt. No. 035451-0131 (3640.Palm)

Respectfully submitted,

Date June 09, 2005

By 

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5730
Facsimile: (414) 297-4900

Alistair K. Chan
Attorney for Applicants
Registration No. 44,603